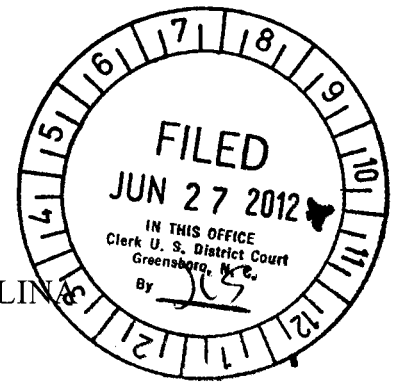


UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



BRYAN H. SIMMS,

Plaintiff

V

BALL STREET VENTURES, LLC,  
et al.

Defendants.

Case No: 1:12-mc-00001-UA

**MOTION FOR WRIT OF GARNISHMENT**

COMES NOW Plaintiff, Bryan H. Simms, by and through undersigned counsel, and requests the Clerk of the above-styled court to issues a Writ of Garnishment against National Champion Real Estate, LLC.; BDV II, LLC; BDV III, LLC; Fuller Street Development, LLC; Durham Basketball Team, LLC; FSD Master Tenant, LLC; L8, LLC; Walker CST, LLC; and West Village Condo Partnership, LLC pursuant to the judgment entered against Brian K. Davis on this Court on January 6, 2012. In support thereof:

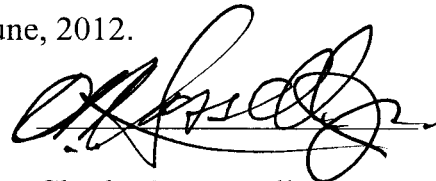
1. On May 14, 2009, The U.S. District Court for the District of Columbia entered judgment against Brian K. Davis in the amount of \$667,846.90.
2. On January 6, 2012, the judgment of the U.S. District Court for the District of Columbia was registered in this Court.
3. It is believed that National Champion Real Estate, LLC; BDV II, LLC; BDV

III, LLC; Fuller Street Development, LLC; Durham Basketball Team, LLC; FSD Master Tenant, LLC; L8, LLC; Walker CST, LLC; and West Village Condo Partnership, LLC, hold money of judgment debtor Brian K. Davis.

4. Judgment debtor Brian K. Davis has failed to make any payment against the outstanding amount owed to Plaintiff.

WHEREFORE, Plaintiff Bryan H. Simms moves for the issuance of a Writ of Garnishment commanding National Champion Real Estate, LLC.; BDV II, LLC; BDV III, LLC; Fuller Street Development, LLC; Durham Basketball Team, LLC; FSD Master Tenant, LLC; L8, LLC; Walker CST, LLC; and West Village Condo Partnership, LLC, to appear and answer, according to law, for the reasons set forth herein.

Respectfully submitted this 35<sup>th</sup> day of June, 2012.



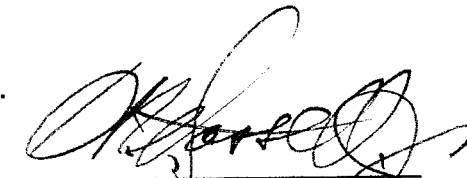
Charles R. Hassell, Jr.  
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N.C. State Bar No. 1956  
Counsel for Plaintiff

**CERTIFICATE OF SERVICE**

This is to certify that I have served the registered agent of the LLCs listed in the foregoing documents, which are Counsel's Notice of Appearance; Plaintiff's Motion to Allow Conventional Filing and Proposed Order; Plaintiff's Application For Charging Order and Proposed Charging Order; and Plaintiff's Motion For Writ of Garnishment and Proposed Order Granting Motion, by depositing same in the United States Mail with adequate postage. Service is made upon:

Malvern F. King, Jr.  
Pulley, Watson, King & Lischer  
Attorneys at Law  
P. O. Drawer 3600  
Durham, NC 27702

This the 25<sup>th</sup> day of June, 2012.



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